

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DAVID C. LETTIERI,

Plaintiff,

-v-

3:24-CV-475

DEPARTMENT OF JUSTICE
and FEDERAL BUREAU OF
INVESTIGATION,

Defendants.

APPEARANCES:

OF COUNSEL:

DAVID C. LETTIERI
Plaintiff, Pro Se
Northeast Ohio Correctional Center
2240 Hubbard Road
Youngstown, OH 44505

DAVID N. HURD
United States District Judge

ORDER ON REPORT & RECOMMENDATION

On April 4, 2024, *pro se* plaintiff David C. Lettieri (“plaintiff”) filed this civil action alleging that defendants violated his rights. Dkt. No. 1. Along with his complaint, plaintiff moved for leave to proceed *in forma pauperis* (“IFP Application”). Dkt. Nos. 2, 3.

On April 24, 2024, U.S. Magistrate Judge Miroslav Lovric denied the IFP Application as incomplete. Dkt. No. 7. Thereafter, plaintiff re-submitted a second IFP Application, Dkt. No. 8, along with a request seeking a discovery order, Dkt. No. 9.

On June 5, 2024, Judge Lovric denied plaintiff's second IFP Application, denied without prejudice plaintiff's request for a discovery order, and advised by Report & Recommendation ("R&R") that plaintiff be given thirty days in which to pay the full filing and administrative fees. Dkt. No. 10.

Plaintiff has lodged objections. Dkt. No. 11. Upon *de novo* review, the R&R is accepted and will be adopted. 28 U.S.C. § 636(b)(1)(C).

Therefore, it is

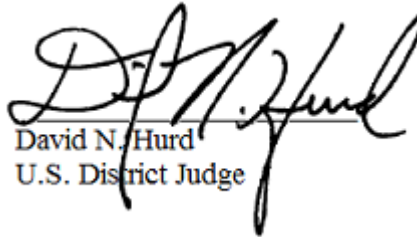
ORDERED that

1. The Report & Recommendation (Dkt. No. 10) is ACCEPTED;
2. Plaintiff shall have THIRTY DAYS in which to pay the \$405.00 filing and administrative fees;
3. If plaintiff timely pays the appropriate fees, this matter shall be returned to Judge Lovric for further review or action as appropriate; and
4. If plaintiff does not timely pay the appropriate fees, this action shall be dismissed without prejudice without further Order of the Court.

The Clerk of the Court is directed to terminate the pending motion and set deadlines accordingly.

IT IS SO ORDERED.

Dated: June 27, 2024
Utica, New York.



David N. Hurd
U.S. District Judge